

# EVENING BULLETIN

IT IS A PAYING INVESTMENT.

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HONOLULU, TERRITORY OF HAWAII, FRIDAY, DECEMBER 28, 1900.

Price 5 Cents.

## BUSINESS MEN ON A MONOPOLY

Varying Opinions as to the Time for Charter.

EVERYONE SEEN IN FAVOR OF MEASURE

W. C. Weedon Wants It Right Away  
—George Markham Talks on Roads—What Others Think.

Below will be found a number of interviews with business men of the city on the question of municipal government which is now occupying the attention of committees of thirty from the Republican and Independent parties.

R. N. Boyd, surveyor—There is no doubt whatever in my mind that municipal government is what we need in Honolulu and all over the islands. This is the only way we can get equal rights for every one. There are many things that are in need of improvement in the present system. Where is the use of my going any further than to point at the Public Works Department. Just ask the people about the transactions of that branch of the department and see what they say. It seems to me that municipal government will solve many of the perplexing questions of today. Give everybody a chance and everybody will come in to assist in the good government of the city.

George H. Paris, of Ashley & Paris, real estate agents—There is no doubt whatever in my mind that Honolulu must have a municipal form of government but the question arises—when? The city should be run from a business standpoint and not with political narrowness. The question of expense, naturally and politically, of Honolulu, is a vital question with everyone who owns or controls property interests here. A municipal form of government will no doubt result in higher taxation of property interests held by the residents of the city. The rapid growth of Honolulu in the past three years and the improvements projected, which will surely go ahead, is a drain in a line of improvement of the city which is more important than the feeling that we have got a new suit of clothes, politically speaking. The question is: "Do we want that new suit of clothes right now or would it not be better to wait awhile?" It certainly was the best thing for the country, in the long run that the immense expenditure in sugar planting drew on the Hawaiian investors' cash in hand but it is almost a wonderful thing that a financial crisis was averted. We are not over this immense draft on ready funds to set these new enterprises going. The city of Honolulu is now going ahead at a very rapid pace. Money is being called for to push the smaller enterprises ahead faster than the financial men of the country seem to think is safe. There is capital coming into the country by every steamer and every new comer we see on the streets invests or deposits in one way or the other, something to the improvement of Honolulu but, to double taxation at the present time, would naturally shut out a good deal of capital we hope to have invested.

Dr. R. P. Myers—There is no one more in favor of a municipal form of government for this city than myself but I do not believe we are ready for it yet. It seems to me that Honolulu has not reached the right stage.

James L. Holt of the Tax Office—I am in favor of municipal government but not just at this time. In my opinion we need to do a great deal of thinking yet. A charter should not be presented at the session of the Legislature in February but should go over until the next session. If a charter is passed at the next session, Honolulu will almost surely run up against a snag.

George Markham—We want municipal government as soon as we can get it but, of course, we want to have a good charter. What are my reasons? Well, in the first place, I think every voter of Honolulu should have some say in the government of the city in which we live. We are not getting our proper share of the improvements now. I might speak particularly as to roads in and about the city. Where are the improvements being put? Out around Diamond Head and the like, while the roads in which the poor man lives are left with ruts in them. I could give you other reasons in favor of municipal government but this one question of roads is enough.

W. C. Weedon—I am in favor of a municipal form of government for Honolulu and that, as soon as possible. I fail to see the use of delaying. Why shouldn't we go along with forty or fifty thousand people instead of waiting until we get twice the number? The time is ripe now. Go ahead and get a good charter and then let us have a municipal form of government. Of course, there is bound to be an increase in taxation but it is my firm opinion that, when the taxes are equalized, they will not be so high. What we want is to educate the people and one can never begin too early in the matter of education.

T. W. Hobron—I am of the opinion that we should go slow in this matter of municipal government. We are not ready for it yet. I believe in beginning a consideration of the matter now but I am against presenting it to the next Legislature for consideration. Let the matter stand over for one session and let all the people study it carefully.

## NEW LIGHT RECEIVED

BISHOP WILLIS POSTPONED SESSION DIOCESAN SYNOD

Hopes for a Settlement of the Principal Matter on a Surer Foundation at Later Time.

"To the Clergy and Synodsmen of the Diocese of Honolulu.  
"My Dear Brethren:  
"Since asking for your attendance at an extraordinary session of the Synod on Jan. 7, 1901, new light has been thrown on the situation, from which it becomes evident that it would be premature to come to a decision immediately on the principal matter I had to lay before you. As the position becomes better understood, I shall be able to consult with you on a surer foundation than that on which I had supposed action could be based. I, therefore, postpone the meeting of the Synod to a future day of which due notice will be given.

"Yours very faithfully,  
"ALFRED HONOLULU."  
The foregoing document has been received by members of the Anglican Church Synod.

It refers to the previously called meeting as an "extraordinary" session, although the call itself was for the third session of the fifth Diocesan Synod. Neither did Bishop Willis mention any "principal matter" to come before the body in the call, which was issued under the episcopal hand and seal on September 29 last.

## JURISDICTION POINT

Judge Estee in the United States District Court this morning, counsel being present to argue the habeas corpus case of the Chinese woman, Yin Chon Shai, said there was a question as to jurisdiction and before hearing any argument on the merits he desired to hear counsel upon jurisdiction.

District Attorney J. C. Baird, being asked later wherein the question of jurisdiction lay, indicated the following provision in the Federal statute of August 18, 1894:

"In every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of the Treasury."

In this case the Collector of Customs is the officer denying the petitioner's right to land.

## CHINESE OWNER HAS A GRIEVANCE

He Thinks a Black Mark is Unjustly Placed on Chinatown.

EVERYTHING BEING DONE THAT AUTHORITIES REQUIRE

The Board of Health Has Enough Law Power to Keep the District Clean and Ought to Do It.

One of the most esteemed Chinese merchants, and a large property owner in Chinatown, is very much aggrieved over published statements, regarding that part of the city. Not desiring to appear as complaining against the authorities on this score, he wishes to keep his name out of print while letting his views go forth. His way of putting the grievance is substantially as follows:

"It is too bad to say in the papers that new Chinatown is as bad as old Chinatown. How can that be true? When we go to put up a building we have to go to the government for a permit. If the plans are not right, they say you make this change and that change.

"We make the building what they want, and they tell us how to make cesspools. They must be ten feet deep. When we dig eight feet down the water runs in. We cannot dig any deeper on account of the water. They say all right, let it go. Keep it pumped out they say.

"Then when the sewer is ready we have to have the house plumbed. I had two or three buildings put up. They cost me for plumbing between \$500 and \$700 each. Before the work is all done, by and by a man comes to look. Maybe he says that's wrong, and then the work has to be done over. Finally, he says it is all right.

"Very well, everything ought to be clean now. All that the Board of Health asked us to do has been done. How can they say, then, that new Chinatown is getting as dirty as old Chinatown? It is all new and the refuse is going into cesspools approved by the Board of Health or into the sewers.

"Maybe the inspector comes to look and sees a dirty room. Well, he can order that room cleaned. The Board of Health has all the law it requires for keeping Chinatown clean. If new Chinatown is already getting as bad as old Chinatown, whose fault is it? The owners of the buildings have done all that the Board demanded.

"I do not like such statements to be put in the newspapers. It gives a black mark to the Chinese owners of property which they do not deserve. If we do everything that the Board tells us to do, why should anyone talk at the Board of Health or in the newspapers so as to make us look black?"

## ROBBERY UP NUUANU.

Robberies are now becoming a matter of daily occurrence in and about the city. Two mounted patrolmen went up into Nuuanu valley yesterday forenoon to investigate a reported robbery at the Japanese camp in connection with the government nursery. The officers found that, while the Japanese were away at their work, some one had entered the camp and turned things upside down although the only cash taken was \$250. Evidently the thief or thieves had been frightened away for, only part of the bunks had been ransacked.

It is supposed by the Japanese that that the thief or thieves saw one of the men of the camp approaching the quarters and took to the bushes that abound in the vicinity. At all events, there is absolutely no clue as to the persons who did the job.

## Dole to Luakaha.

Governor Dole has decided on a change of atmosphere and will this afternoon move up to Luakaha in Nuuanu valley. This is an excellent place and the Governor expects to enjoy life much better than at his home on Ewa street.

## VISITING NEW FOUNDRY.

As fast as possible the operations of the Honolulu Iron Works are being transferred from the old buildings where they have been carried on for many years, to the extensive iron pavilion just constructed for the establishment overlooking the inner entrance of the harbor. Prominent men of industrial and commercial affairs are beginning to catch on to the fact that a really great epoch in the manu-

facturing interests of Honolulu is being rounded in this moving day of the old foundry. At all events, they are thinking it worth while to indulge their curiosity by having a look at the new place. Yesterday Messrs. B. F. Dillingham and W. M. Giffard accompanied Manager Hedemann of the works in a drive to the new plant at Kakaako. They found the machine shop, for one thing, in full working order and fulfilling its functions, and they came away impressed with the belief that not a city in America can show a better equipped iron working establishment for its purposes.

## Kaga's Case on Monday.

Kaga, the Japanese who, according to his own confession made to Deputy Sheriff Chillingworth last night, assaulted Toma, a Japanese woman at Twilel, with a knife yesterday, appeared in the Police Court this forenoon to answer to the charge of assault with intent to commit murder. He was represented by Attorney J. T. De Bolt who asked that the case go over until Monday. This was granted. Plea reserved.

## SHELLS IN THE CORAL.

Some blocks of coral from the excavations for the building at the corner of Fort and King streets were put aside by Rudolph Duncan this morning because they contained fine specimens of shells of thousands of years ago. These were shown to Prof. Brigham of the Bernice Pauahi Bishop museum at Kamehameha who was so pleased with them that he asked Mr. Duncan to save them for the museum. This is being done and, throughout the day, several blocks of coral have been set aside.

## HACK DRIVER KICKS

OBJECTS TO PAYING TEN CENTS FOR FARE BOOK

George Green's Plaint in the Police Court This Forenoon—Reprimanded and Discharged.

George Green, one of the hackmen of the city, was arrested yesterday on the charge of failing to have a book or rates of hack fare in the leather pocket which every hackman is required to have on the back part of the front seat. He appeared in the Police Court this forenoon and, on being asked about the matter, answered that he did not know the book had gone. He had put one in the proper place and someone must have taken it away. He went to the police station and, on applying for another book, he was told that he would have to pay ten cents. This he considered an imposition and refused to pay for the book, on principle.

Judge Wilcox explained that the rule was in the book and it was the duty of hackmen to see that they did not infringe. Of course, some hackmen might think the rules were an imposition in some respects but they had been made and it was the duty of the Court to carry them out. With this, he turned to the prosecuting officer and said he had ridden in three different hacks yesterday and there was not one of them that had a book of the rates of fare.

Judge Wilcox went on to say that there was a class of hackmen in the city who thought they could tie up the government. There was one in particular, a would-be politician, who thought he could tie up the government but he would probably run up against it in the end. As the offense was not a very grave one and this was the first time one of the kind had been brought before the Court, he did not think he would impose any fine but would allow the defendant to go with the warning that he be careful the next time.

## TEMPORARY INJUNCTION.

Suit has been brought by Hoffschlaeger & Co. of this city against F. Akin, a Chinese storekeeper of Lahaina, Maui, for foreclosure of mortgage, injunction and the appointment of a receiver. The plaintiff claims that the defendant signed a promissory note in favor of H. Focke and A. Maertens, the partners of the firm, for the sum of \$1000 on November 24, 1896, and that only part of this has been paid back. The store and contents of the Chinaman at Lahaina is only worth about \$400. A temporary injunction has been issued by Judge Humphreys, restraining the defendant from touching any of the goods in the store.

Special attention is called to the display of toys and Xmas goods at L. B. Kerr & Co.'s. A full line is in stock and of the very best.

THE WATERMAN INK FOUNTAIN PEN. All sizes all shades. F. WICHMAN.

## POWER OF THE PROBATE COURT

An Equity Court Cannot Interfere With Will Probating.

TWO DEFENDANTS OBJECT TO PARTITION OF PROPERTY

Hoffschlaeger & Co. Enjoin a Lahaina Customer—Bond of \$100,000 Filed—Progress at Supreme Court Term.

Chief Justice Frear writes the unanimous opinion of the Supreme Court in the case of Pekelo Akeau vs. Iakona, Kahue and Noa Kuiki. It is an appeal from Circuit Judge Hardy of Kauai. His decree sustaining a demurrer and dismissing a bill in equity is affirmed. The principle established, which has prevailed in the courts of this and other equities, is as follows:

"A court of equity cannot on the ground of fraud set aside a decree of a probate court admitting a will to probate, the alleged fraud consisting in adding the name of a second witness to the will after the death of the decedent."

In the body of the opinion, it is said "that our courts of probate are clothed with full probate powers, and have jurisdiction to admit to probate wills of real property as well as of personal property, and may set aside for fraud wills so admitted, and the practice has been to apply for revocation of probates to the probate courts themselves without going into equity."

Kinney, Ballou & McClanahan and H. A. Bigelow for plaintiff; T. McCann Stewart for defendant.

William L. Hopper has filed his bond in \$100,000 as temporary administrator of the estate of the late James A. Hopper, with Mary J. Peterson, Margaret L. Hopper and Ellen H. Brown as sureties.

The Hawaiian Gazette Co. by its attorney, Lorin Andrews, has filed a demurrer to the complaint for libel of George B. Kapule.

Hoffschlaeger & Co. has filed a bond in \$500 with Robt. F. Lange as principal and W. Laas as surety to back up an injunction against F. Akin, restraining him from intermeddling with the property in his store at Lahaina until the further order of the court.

In the equity suit for partition brought by the Hawaiian Trust & Investment Co. vs. Annie Barton, Helen A. Dunning and Gear & Lansing, an answer of Annie Barton and Helen A. Dunning says:

"First: They admit that the plaintiff is owner in fee simple of one-fourth interest in and to all that parcel of land known as the Canton Hotel property described by metes and bounds in the first paragraph of said complaint.

"Second: These defendants admit that they hold in fee simple the remaining three undivided fourth parts of said property. Defendants say that a lease is now outstanding on said premises made by W. F. Allen, administrator with the will annexed of the estate of James A. Aldrich, deceased, to F. Horn; but they deny that Gear & Lansing are the assignees of said lease or that said lease is assignable.

"Third: These defendants further say that said property is incapable of partition without detriment to the owners of the same. They allege that said property should be sold as a whole in order to realize the best price. They further say that it would not be for the interest of any of the owners of said property to have the same sold or to have partition made during the continuance of the term of said lease."

At Supreme Court term Christley vs. Magoon has been submitted, also the question of commissions in Lunalilo estate. C. J. Fishel vs. G. A. Turner is submitted on briefs. John H. Estate vs. A. H. B. Judd comes on for argument this afternoon.

## HAD OPIUM IN STORE.

In the Police Court yesterday afternoon, Yee Kai, charged with unlawful possession of opium, was found guilty and sentenced to pay a fine of \$150 and costs. It will be remembered that, a few nights ago, the man was caught in one of the rooms of the Keong Lee Yuen building with several tins of opium in his possession.

of opium and the defendant Ah Ham was proved, so Judge Wilcox discharged him. A nolle prosequi was entered in the case of Chu Kun, although Judge Wilcox expressed the belief that he was the man who owned the opium.

## CHINESE PROTECTIVE UNION.

A meeting of the Chinese Protective Union was held last night for the purpose of talking over the matter of the funds of the organization still on hand, the amount being in the neighborhood of \$2,000. It was finally decided to postpone further consideration of the matter until the general meeting of the Chinese in the hall of the Chinese United Society this evening.

It will be remembered that the Chinese Protective Union was formed during the unpleasantness in 1893, the object being the protection of the interests of the Chinese in Chinatown. Long since, the society stopped holding meetings and the money has been in the bank for years.

## Sub-Committee on Charter Disagrees

There will be a meeting of the Committee of Thirty of the Republican party tonight but whether or not much will be done, is a question, as the chairman, W. O. Smith, is out of the city at the present time. The meeting will be for the consideration of the drafts of charters on which the sub-committees on charter has been working steadily for some days. This body has had several meetings but, as yet, they have failed to come to any agreement on the matter of territory to be taken in by the city of Honolulu, should there be a municipal form of government.

## MARRIED.

OLMOS-WOODWARD—In Honolulu, T. H., December 27, 1900, by Father Mathias, Manual Olmos and Miss Lizzie Woodward.

## KAGA NOW LOCKED UP

MAN WHO STABBED TOMA SURRENDERS TO POLICE

Went Into Police Station Shamming Drunkenness—Was Soon Brought to His Senses.

Although the police were out in every direction yesterday and last night and every avenue of escape had been carefully guarded to prevent the assault of Toma at Twilel from getting away, the Japanese could not be found.

It was about 10 o'clock last night that a Japanese appeared at the police station shamming drunkenness. He explained to the clerk and the other officers standing about that he had been drinking a lot of sake and wanted to be locked up. Deputy Sheriff Chillingworth was at the station house at the time and he saw at a glance that the fellow was shamming. He took him by the shoulders and gave him a good shaking. This had the desired effect and the Japanese came out of the trance.

It was thought from the description of the man that this was no other than Kaga, the assailant of Toma so the fellow was put into a hack and driven off to the Japanese hospital. The injured woman recognized him at once and said Kaga was before her.

Upon returning to the police station, Kaga was submitted to a very searching examination by Deputy Sheriff Chillingworth. The man admitted stabbing the woman but insisted that he was drunk at the time. When he went to Toma's room during the morning, it was with the intention of inducing her to return to Japan, if possible. She would not agree to his proposal and so he picked up a pair of scissors from the table and struck her with them. He heard other people coming and ran out of the room to the hack that was awaiting him. Then he went to Punahou. When asked where he had been during the day he replied: "In the bushes."

Blood was on the shirt sleeves of the man. When asked where the knife was that he used in the morning, he put his hand into his pocket and seemed to be surprised that it was not there. It will be remembered that he dropped it in his struggle with Toma in her room at Twilel. Kaga was locked up as it was not possible for him to put up the \$2000 bail required of him. He is charged with an assault with intent to murder.

A dainty piece of lacquerware or some odd-looking Japanese curio would make an excellent Christmas present. For sale by Iwakami, Hotel street.

## Sailor Accuses Man of Biting a Finger

When the W. G. Irwin was here on her last trip, there was a fight on the deck of the vessel between a deck hand by the name of Sam Baron and a sailor of the Irwin by the name of Hansen. The small finger on the left hand of the sailor was injured during the affair. A day or so afterwards, mortification set in and it was found necessary to amputate the finger. Hansen has been in the hospital ever since.

This morning Baron was arrested on the complaint of Hansen who swore that he was attacked by the man aboard the ship and that, in order to protect himself, he had struck out. His hand was caught by Baron and, before he knew it, his assailant had given him a vicious bite on the little finger which crushed the bone and resulted disastrously for him. The case will come up in the Police Court tomorrow morning.

## SACRED CONCERT.

The second sacred concert at the Orpheum will be given next Sunday evening and a program has been prepared that will excel the excellent program of last Sunday. The orchestra has been enlarged so as to handle the numbers selected and under the direction of Paul Egly more than satisfactory results may be expected.

All those who have paid for seats for this concert will please call at the box office and the money will be refunded. Those wishing invitational tickets can secure them at any time previous to the concert by calling at the box office or by telephone.

All attachments of the house will be in attendance to look after the comfort of the audience and will perform their duties with the same attention as on any other night when you have paid for your seat.

## SURVEY OF THE TWILIGHT

The schooner Twilight which put into port here recently in a distressed condition from Washington Island was inspected by a committee of surveyors composed of Captains Clark, Haglund and Rensch who are appointed by Judge Estee of the U. S. District Court upon a request from the captain of the schooner.

The surveyors have made their examination and have recommended such repairs as are absolutely necessary to make the vessel seaworthy. Before proceeding on her journey to San Francisco repairs will have to be made to her hull. The ends forward are to be caulked and payed and the butts on deck planking to be done likewise. It is also recommended that the vessel's pumps be put in first class order, the fore rigging to be lifted, mast head band to be properly secured and all iron work on boom gaff blocks wherever necessary be repaired and to be supplied with a main fore, fore stay and main jib sails.

All this work is to be done at the expense of the vessel as likewise the expense incurred for the board of surveyors. All the improvements as recommended must be made subject to the approval of both the surveyors and the court. It is thought that these repairs can be made to the vessel without incurring the expense of placing her on the ways.

A complete new stock of shoes has been received at L. B. Kerr & Co.'s shoe store, corner Fort and Hotel streets and will be sold at the merest shaving of profits.

## LADIES'

## SLIPPERS!

We have Enough Ties in stock to supply all the

Ladies of Honolulu.

These SLIPPERS are in Vicl Kid and Patent Leather, and of the LATEST EASTERN FASHIONS. They are, without the least bit of exaggeration, the most Stylish Line of SLIPPERS ever placed on Sale in Honolulu.

They are on exhibition in our large window.

Prices Range From \$1.50 to \$7.50.

MANUFACTURERS SHOE COMPANY

MCCLELLAN, POND & CO.

WE OFFER FOR SALE the home of C. J. Fishel, corner of Lunalilo and Piikoi Streets, 8 room house, electric lighted, 236 feet of frontage.

Price \$7,000.

Also the adjoining 6 room house, with lot 41x200. Price \$4,000.

MCClellan, Pond & Co. Tel. Main 69. Judd Building.